

REMARKS

The examiner rejected elected group I claims 1, 2, 4-7, 18, 20 and 23 under 35 U.S.C. 102(b) as being anticipated by JP 62-244935 but objected to claims 3, 8-17, 19, 21, 22, 24-26 because of their dependency to base claim 1. Claim 36 is allowed.

Response:

Claims 1-7, 9, 12, 13, 16-19, 21-23

The limitations of previously presented claims 8, 10, and 11 have been amended into independent claim 1. These limitations describe the elastomeric spacers. See 17 of figure 3a in the instant specification for instance. Although elastic members generally can be found in the art (abstract JP 5230899), the prior art does not teach an elastomeric spacer which can be placed on either the glass block *or* the muntins prior to assembly (former claims 8 and 11). Assembly can be performed in either manner for the present invention which simplifies the matrix assembly process. Moreover, in the instant embodiment, the elastomeric spacers serve a dual function of not only spacing the blocks but simultaneously acting as a backing to support a sealant (former claim 10). This simplifies the glass block wall installation process by not requiring additional sealant or caulk backing components.

Furthermore, more structural limitations regarding the muntins have been amended into base claim 1. Specifically, the stand-offs or offsets of both the primary and secondary muntins lie within parallel planes such that the boss is positioned within these planes. See the structural detail of figures 2e and 2f for instance (23 is between parallel planes of web portions 21 and 22). Although arguably the prior art teaches muntins or structural support members, the prior art does not teach or suggest the instant muntin web design. In JP 62-244935 the muntins (5) appear to be flat throughout their central portion with no hollow boss or web portions.

Support for the structural details of the instant muntin configuration can be found within ¶ 45, ¶ 46, fig. 2e, and fig. 2f. Support for the elastomeric design and function can be found within ¶ 13 of the instant specification and figure 3a. Claims 2-7,

9, 12, 13, 16-19, 22-23 depend from claim 1, accordingly, claims 1-7, 9, 12, 13, 16-19, 22-23 should be allowable.

Claim 36

Claim 36 was deemed allowable.

Claims 40 – 43

Claims 40 – 43 are new claims which include the limitations of the previous base claim 1 and previously presented claims 24-26, re-written in independent form as claim 40. Namely, new base claim 40 includes structural limitations of the rectangular structural perimeter frame.

The frame of the instant invention includes two channels, wherein one of the channels has webs which are adapted to slide within the other webs of the other channel, connected with a gasket therebetween. The details of this frame are shown for instance on figure 3a as labels 5a, 5b and 41. This is the frame that has one channel which is fastened to substrate 39 (fig. 4) which allows for the other channel to slide relative to it, down into the other part of the frame. Thus, the frame is a two-part frame having the connecting webs and gasket. See figure 4 and ¶ 52. The prior art does not teach or suggest such a frame construction. For example, the frame in JP 62-244935 appears to be pieces of single, integral steel plates with no two-part, interconnecting webs. This would require the entire wall assembly be fastened directly to the pre-mounted frame, whereas in the instant invention, one piece of the frame is fastened to the substrate, the other is attached to the edge spacer of the glass block assembly, and the entire assembly with the second frame piece is then slid into the pre-mounted first frame piece. This substantially eases the installation process.

The halves of each single channel are connected with a thermal break (claim 41) and more details of the edge spacer are claimed by claims 42 - 43. The edge spacer forms the barrier between the second of the two-piece channel and the glass blocks. These claims 41-43 rise or fall with claim 40. Support for all limitations may be found in ¶ 51 of the instant specification, and figure 3a (5a, 5b, 10a, 10b, 11, 37, 41, 42).

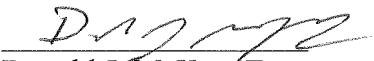
Accordingly, claims 40 – 43 should be allowable based on the foregoing amendments.

Claims 8, 10, 11, 14, 15, 20-21, 24-35 and 37-39 have been canceled.

Conclusion

By amendment, base claim 1 details the configuration of the muntins and also includes the dual-functioning, elastomeric spacer limitation from previously filed, objected claims 8, 10, and 11. Base claim 36 was allowable. Base claim 40 details the configuration of the two-channel, structural perimeter frame as previously claimed by objected claims 24-26. Accordingly, it is respectfully requested that this amendment and response be entered and that claims 1-7, 9, 12, 13, 16-19, 22-23, 36, and 40-43 as amended be allowed. The other non-elected group claims have been canceled. Should other informal matters remain, I can be contacted using any of the below contact information. Thank you for your attention to this matter.

Respectfully submitted,


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